

Public (1928) Department.

Brady SERIES.

G.O. No. 346.

DATED 16-4-1928

[Despatch Abstract.]

L. C. Question — March 1928

Arms Rules — Revolver licence

Mr S. B. Bhide — Refusal
by D. N. S. S. Kanar.

GO 346 Pub
16.4.28

L.C. McHoin - March 1928
Amey Act - Renewal License -
(S. Kanara) to F.B. Bhide -
- Refused by D.M.

Put up paper

GO 126 Pub 2 16.2.28

asked question.

Mr. K.N. Pant.

The Judicial Report etc.

1945

* ~~1944~~. Will the Hon. the Minister please to lay on the table a copy of the application for license for a revolver 17-10-1927 of Mr. Chokkappa S. S. S., S.D., Bangalore and District Magistrate Bangalore Town, to the District Magistrate South Kanara and the District Magistrate Bangalore refusing the license.

(a) the reasons why the District Magistrate is not satisfied that a revolver is necessary for the protection of the applicant;

(b) what are the real reasons for the refusal;

(c) whether the Government will be prepared to call for the papers and evidence submitted as to the necessity or otherwise of the license;

(d) whether the District Magistrate has received any reports from the police or the Kasargod taluk; (wherein are situated the estates of which the said Mr. Chokkappa S. S. S. is the receiver of Court) and if so, what are the reports; if not, why not;

(e) whether it is a fact that the District Magistrate has issued a license for the issue of licenses; and

(f) what are the circulars issued by the Government of the House?

Advance copy

1/10/45

1/10/45

13/5/45

6.20m.
as
16/7/26

Answer, approved by Hon C₂
Starred question.

~~XXXXXXXXXXXX~~

Public Department

C-1-B

Please disp. answer
of L.C. Officer

L.C.Q. 1945(

Mr. K. R. Karant

2

Question 1/195

Answer

Will the Hon'ble the Law Member
be pleased to lay on the table
a copy of the application for
license for a revolver dated 17-10-27
of Mr. Shesha Bhat Bhide, B.A., B.L.,
Landholder and First Grade Pleader
Mangalore Town, to the District
Magistrate of South Kanara and the
order of the District Magistrate
refusing the license and to state
(a) the reasons why the District
Magistrate is not satisfied that a
revolver is required for the
protection of the applicant;

(hp 4-6 of C-7 in the linked file)

The papers referred to
are placed on the Table

(a) & b.

hp 8-9 C-7.
in the linked
file.

South Kanara is a peaceful
district & the D.M. found no special
circumstances to justify the
necessity to grant of a revolver
licence to the applicant.

(b) what are the real reasons for
the refusal;

(b)

(c) whether the Government will be

contd.

pleased to call for the papers and satisfy themselves as to the necessity or otherwise of the application;

(c) The Government have satisfied themselves that there is no real necessity for the grant of a revolver licence.

(d) Whether the District Magistrate called for any reports from the officials in the Kasagod taluk; (wherein are situated the two estates of which the said Receiver is a Receiver of Court) and, also, to what effect have they reported; and, if not, why not;

(d), (e), ~~and~~ The Government have no information.

(e) whether it is a fact that the District Magistrate has issued a circular restricting the issue of licenses; and

(e)

(f) whether the circulars will be laid on the table of the House?

(f) The Govt. do not propose to take any such action.

(At 12.15 p.m. 15/3/28)

my 15.3.28
H. B.

4
(21-3-28)
Starred Question.

Mr. K. R. Karant.

No.1945. Will the Hon'ble the Law Member be pleased to lay on the table a copy of the application for license for a revolver dated 17th October 1927 of Mr. Shesha Bhat Bhide, B.A., B.L., Landholder and First Grade Pleader Mangalore Town, to the District Magistrate of South Kanara and the order of the District Magistrate refusing the license and to state

- (a) the reasons why the District Magistrate is not satisfied that a revolver is required for the protection of the applicant;
- (b) what are the real reasons for the refusal;
- (c) whether the Government will be pleased to call for the papers and satisfy themselves as to the necessity or otherwise of the application;
- (d) whether the District Magistrate called for any reports from the officials in the Kasargod taluk; (wherein are situated the two estates of which the said Mr. Bhide is a Receiver of Court) and, if so, to what effect have they reported; if not, why not;
- (e) whether it is a fact that the District Magistrate has issued a circular restricting the issue of licenses; and
- (f) whether the circulars will be laid on the table of the

House?

Public Department.

A N S W E R.

The papers referred to are placed on the table.

(a) and (b). South Kanara is a peaceul district and the District Magistrate found no special circumstances to justify the grant of a revolver licence to the applicant.

(c) The Government have satisfied themselves that there is no real necessity for the grant of a revolver licence.

(d) and (e). The Government have no information.

(f) The Government do not propose to take any such action.

(By Order)

Fort St. George,
16th March 1928.

To the Legislative Council Office.

huyatto
Under Secretary to Government.

The above answer has been approved by
The Hon'ble Khan Bahadur Muhammad Usman Sahib Bahadur.

K.

5

Before the District Magistrate of South Kanara.

S. B. Bhide Petitioner.

Application under the Arms Act.

The Petitioner above named begs to state as follows:-

1. The Petitioner is the son of Venkatesha Bhat Bhide, Landholder and First grade Pleader, residing at Pentlandpeta in Mangalore town.
2. That for some time past the Petitioner has been the Receiver to the family estate of Maipadi Kovilagam in Kasargod Taluk. Recently he has also been appointed Receiver to the estate of one Damodara Tantri (deceased) of Paniyal village. He is thus appointed Receiver by the Subordinate Judge of South Kanara in litigation pending.
3. That these two estates under his Receivership own properties in about 36 villages of Kasargod Taluk. Some of these are far in the interior of the District. For the purpose of making collection of rental he has to go from village to village from time to time with only an attendant with him. During these travels considerable amounts of money remain in his hands. Of late for various reasons the Petitioner has realised that it is not altogether safe to be thus moving without adequately providing himself with a weapon to protect his person and property in case of emergency.
4. The Petitioner is a Graduate in law. He has also been recently elected a Municipal Councillor for the Kodiyalbail West Ward of the Mangalore Municipality. He is also a Member of the Board of Trustees appointed for the management of ~~At~~ Shri Subramanya Temple in which capacity also he has to go to Subramanya on several occasions in the year.
5. Besides owning a compound and house T.S.666/53 of Ward IX in Mangalore Town, the Petitioner is a junior member of a

joint

joint family owning properties in Mundaje, Laila and Beltangady villages of Uppinangadi Taluk. The Petitioner's joint family also pays income-tax which is Rs.158.8.0 for the current year.

The Petitioner therefore prays that permission may be accorded to him to purchase a six-chambered revolver and necessary cartridges and that a license may be issued to him to own and possess the same and go armed in the whole of the South Kanara District to protect himself and his property.

M a n g a l o r e,
17-10-1927.

Sd/- Petitioner.

L.Dis.8548-27.

E.M.Gawne, Esquire, I. C. S.
District Magistrate of South Kanara.

Arms Act - Form XVI licence for a revolver - requested orders passed.

Application dated 17.10.1927 of Mr. Shesha Bhat Bhide, B.A., B.L., Landholder and First Grade Pleader, Mangalore Town.

Endorsement N.Dis.C.389 M/27 dated 24.11.1927 of the Tahsildar Magistrate, Mangalore Taluk.

The District Magistrate is not satisfied that a revolver is required for the applicant's protection. Licence applied for is, therefore, refused.

S. Kanara Dt. Magistrate's Office) (Sd.) X. Colaco,
Mangalore, 3rd December 1927. For District Magistrate.

[21st March 1928

I

QUESTION AND ANSWER.

STARRED QUESTION

Arms and Explosives

Refusal of licence for a revolver by the District Magistrate, South Kanara.

1783 Q. — Mr. K. R. KARANT: Will the hon. the Home Member be pleased to lay on the table a copy of the application for licence for a revolver, dated 17th October 1927, of Mr. Shesha Bhat Bhide, B.A., B.L., landholder and first-grade pleader, Mangalore town, to the District Magistrate of South Kanara and the order of the District Magistrate refusing the licence and to state—

(a) the reasons why the District Magistrate is not satisfied that a revolver is required for the protection of the applicant;

(b) what are the real reasons for the refusal;

(c) whether the Government will be pleased to call for the papers and satisfy themselves as to the necessity or otherwise of the application;

(d) whether the District Magistrate called for any reports from the officials in the Kasaragod taluk (wherein are situated the two estates of which the said Mr. Bhide is a Receiver of Court); and if so, to what effect have they reported; if not, why not;

(e) whether it is a fact that the District Magistrate has issued a circular restricting the issue of licences; and

(f) whether the circulars will be laid on the table of the House?

A.—The papers referred to are placed on the table. *Obelw*

(a) & (b) South Kanara is a peaceful district and the District Magistrate found no special circumstances to justify the grant of a revolver licence to the applicant.

(c) The Government have satisfied themselves that there is no real necessity for the grant of a revolver licence.

(d) & (e) The Government have no information.

(f) The Government do not propose to take any such action.

APPENDIX.

[Vide answer to question No. 1783 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 21st March 1928, page 442 supra.]

Before the District Magistrate of South Kanara.

S. B. Bhide Petitioner.

Application under the Arms Act.

The petitioner abovenamed begs to state as follows:—

1. The petitioner is the son of Venkatesha Bhat Bhide, landholder and First-grade Pleader, residing at Pentlandpeta in Mangalore town.

2. That for some time past the petitioner has been the Receiver to the family estate of Maipadi Kovilagam in Kasaragod taluk. Recently he has also been appointed Receiver to the estate of one Damodara Tantri (deceased) of Paniyal village. He is thus appointed Receiver by the Subordinate Judge of South Kanara in litigation pending.

8

3. That these two estates under his Receivership own properties in about 36 villages of Kasaragod taluk. Some of these are far in the interior of the district. For the purpose of making collection of rental he has to go from village to village from time to time with only an attendant with him. During these travels considerable amounts of money remain in his hands. Of late for various reasons the petitioner has realized that it is not altogether safe to be thus moving without adequately providing himself with a weapon to protect his person and property in case of emergency.

4. The petitioner is a Graduate in Law. He has also been recently elected a Municipal Councillor for the Kodiyalbil West Ward of the Mangalore Municipality. He is also a Member of the Board of Trustees appointed for the management of Shri Subrahmanya temple in which capacity also he has to go to Subrahmanya on several occasions in the year.

5. Besides owning a compound and house T.S. No. 636/53 of Ward IX in Mangalore town, the petitioner is a junior member of a joint family owning properties in Mundaje, Laila and Beltangady villages of Uppinangadi taluk. The petitioner's joint family also pays income-tax which is Rs. 158-8-0 for the current year.

The petitioner therefore prays that permission may be accorded to him to purchase a six-chambered revolver and necessary cartridges and that a licence may be issued to him to own and possess the same and go armed in the whole of the South Kanara district to protect himself and his property.

MANGALORE,
17th October 1927.

(Signed) Petitioner.

L. Dis. 8548-27.

E. M. GAWNE, Esq., I.C.S.,
District Magistrate of South Kanara.

* * *

Arms Act.—Form XVI licence for a revolver—Requested—
Orders passed.

Application dated 17th October 1927 of Mr. Shesha Bhat Bhide, B.A., B.L.,
Landholder and First-grade Pleader, Mangalore town.

Endorsement N. Dis. No. C. 389-M/27, dated 24th November 1927
of the Tahsildar Magistrate, Mangalore taluk.

The District Magistrate is not satisfied that a revolver is required for the applicant's protection. Licence applied for is, therefore, refused.

SOUTH KANARA DISTRICT MAGISTRATE'S
OFFICE, MANGALORE,—
3rd December 1927.

X. COLACO,
for District Magistrate.

QUESTION.—No.

1945

Law Dept. III-8-3,000-3-12-27.

for the ^{next} meeting of the Legislative

Council to be held on the

192—

SUBMITTED that two copies of this Question may be forwarded to the

Judicial

Department.

The Question has been admitted.

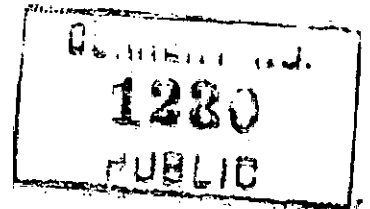
Feb
10-3-28

G. V.

Pub (Genl)

U.O. No.

, dated



To

The

Judicial

Department:



Public Dept.

P. I. C. 7.

Please see the L.C. Question on P. I. C. 7.

It is a starred one. The same M.L.C. gave notice of a similar question ⁱⁿ during the January ¹⁹²⁸ meeting of the Legislative Council, but subsequently withdrew it — vide papers in G.O. No 126. Pub. Dated 14.2.1928

H-7-8 of (S)

Para 1. of the question.

The application of Mr Shesha Bhat Bhide and the order of the District Magistrate thereon are at ~~may be found on~~ pages 4-6 of G.O. C. 7

pp 4-6. c.f.
in the linked
file.

p. 1. c.f.

(pp 8-9. linked file)

p. 1. c.f.

(T)

(I)

p. 249 (D)

p. 1. c.f.

2
in the linked file. Copies of these may perhaps be placed on the table of the House.

Clauses (a) & (b) of the question. The District Magistrate considered that there was no necessity for the possession of a revolver in a peaceful district like South Kanara - please see pages 8-9 of c.f. in the linked file.

Clause (c) of the question. The Government have received an appeal from Mr. Sesha Bhat Bhide. This and the remarks of the District Magistrate are at pages 1-9 c.f. in the linked file.

Licences for revolvers are to be granted only in cases of real necessity and to persons of approved character - G.O.No.751 Home(Judl.) dated 19-3-1920 and para 2 of Govt.of India's letter printed as paper ^{VI}~~II~~ on pages 1-2 of G.O. No.1080 Public, dated 5-11-1927. Under rule 43(1)(a) of the Indian Arms Rules, 1924, District Magistrates have a large discretion in the matter of grant, renewal, refusal or withdrawal of licences.

Clauses (d) to (f) of the question. The Government have no information and it does not seem necessary to call for ^{it}~~any~~ - vide remarks of

the

LCC

16-3-28

the Hon'ble Mr. Campbell as Chief Secretary on
page 12 of G.O.No.126 Public, dated 14-2-1928.

With reference to clause (e) of the question it is
limit is to be imposed on the number
submitted that no ~~restriction is to be placed on~~
of licences issued in a district
~~the issue of licences~~ - vide par s 7 & 11 of G.O.

o.537 Judl.(Magl) dated 21-12-1923 ~~para 9 of~~
of the G.O. resolution at p 5 ~~ibid.~~
Draft answers on the above lines are submitted

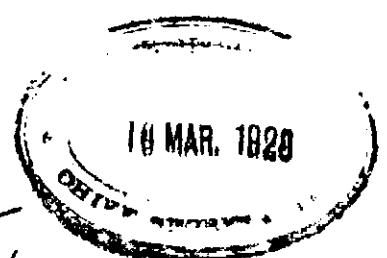
for ~~approval~~ Consideration.

15/3
15/3/28

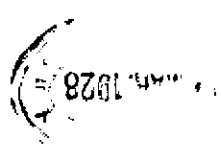
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my 15-3-28

16/3
C2
Mh.



16/3/28



The proceedings ^{of the Council} ~~containing the~~
are at pages 7-8 C.2. The papers may
be recorded in a mis. G.O.

(100)

Abstract.

L.C.Q. - March 1928 -

Arms Rules - ~~Revised~~
Licence - N. S. B. Bhida.
Refusal by D. M. S. Kanara

12/4
R
13/4/28

my 14-4-28

G.O. No 346 of 16-4-28

Please
pre...